

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 11/7/2018 7:12:01 PM
To: Beck, Nancy [Beck.Nancy@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]
Subject: FW: ACTION: Chemical Watch re PFAS under TSCA

Edits to this? Trying to get an extension.

Incoming: At last week's Chemical Watch US Regulatory Summit, a speaker raised questions as to whether the EPA would use its 'discretionary' TSCA authorities to address the "PFAS crisis". Included in the suggested approaches was whether EPA would:

- use its Section 4 testing authorities to ensure the public and regulators have more information on specific PFASs being identified in drinking water;
- bar the import of articles, including recycled articles, containing PFOA or PFOS;
- commit to not allowing new PFASs onto the market through new chemical exemptions, and thereby require a full PMN review process for all new PFASs.

Can you provide any feedback on whether EPA will be pursuing these, or other, paths as it continues to address PFASs?

Response:

There has not yet been specific action proposed to use TSCA information gathering authorities to collect information on PFAS in drinking water.

With regard to articles, in 2013 EPA issued a Significant New Use Rule (SNUR) requiring notice and review before manufacturers (including importers) of carpets treated with certain PFAS chemicals could commence that activity. Also, in 2015 EPA proposed a SNUR to require notice and review before manufacturers (including importers) of PFOA and PFOA-related chemicals, including as part of articles, could commerce that activity .

As a result of changes made to section 5(a) of TSCA when TSCA was amended in June 2016, EPA is now in the process of developing a supplemental proposed SNUR for the import of certain LCPFAC chemical substances as part of categories of certain articles.

With regard to considering PFAS chemicals in exemptions, EPA conducts some full assessments of chemicals in chemical exemption applications, such as Low Volume Exemptions (LVEs), to determine whether the chemicals will not present an unreasonable risk of injury for health and the environment.

The assessment process is the same assessment process that is used by EPA to evaluate PMNs, SNUNs and MCANs. However, unlike PMNs, SNUNs and MCANs, chemical substances manufactured under a low volume or low release and low exposure exemption must be manufactured at the site(s) described, for the use(s) described, and under the human exposure and environmental release controls described in the exemption notice.

Addition info: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-and-polyfluoroalkyl-substances-pfass>

From: Jones, Enesta
Sent: Monday, November 05, 2018 4:07 PM
To: Strauss, Linda <Strauss.Linda@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Pierce, Alison <Pierce.Alison@epa.gov>; Ortiz, Julia <Ortiz.Julia@epa.gov>

Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

Subject: ACTION: Chemical Watch re PFAS under TSCA

Hi All,

Reporter: Kelly Franklin

DDL: 2 p.m., 11/7

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